

Leg

OGC 89-52092

18 September 1989

MEMORANDUM FOR:

THROUGH:

Chief, Logistics & Procurement Law Div/OGC

FROM:

Assistant General Counsel
Logistics and Procurement Law Division

SUBJECT:

HR 2497: Administrative Dispute Resolution Act

1. This confirms our conversation of 11 September 1989, on the subject proposed legislation, HR 2497. The bill, in general, authorizes and encourages Federal agencies to use mediation, conciliation, arbitration, and other techniques for the prompt and informal resolution of disputes, and for other purposes.

2. The subject bill is very similar to another bill, S971, also entitled "Administrative Dispute Resolution Act." This Office had previously been asked to comment on S971, and did so by memo dated 4 August 1989. A copy of that memo is enclosed, along with a memo from PMS/OL on the same subject.

3. Consistent with the actions taken with respect to S971, and in view of the possible impact on procurement policy, this Office has forwarded a copy of HR 2497 to PMS/OL. These two offices will continue to coordinate on these proposed pieces of legislation and, to that end, we would like to continue the process of being informed of any significant actions with respect thereto.

Attachments:
as stated

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cc:

PMS/OL

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OGC 89-51736

4 August 1989

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MEMORANDUM FOR:

[redacted]
Office of Congressional Affairs

FROM:

[redacted]
Associate General Counsel
Logistics & Procurement Law Division/OGC

SUBJECT:

S 971: Administrative Dispute Resolution Act

1. We have reviewed subject legislation provided by your office and have concluded that this legislation might have a major impact upon Agency dispute resolutions, authorities, and procedures. The bill amends the Administrative Procedures Act to authorize agencies to use internal processes for dispute resolution. Also affected are the Federal Tort Claims Act and the Contract Disputes Act.

2. Please follow this Act and provide us with any important amendments or discussions. If you have any questions, please call [redacted] our office paralegal, on [redacted] or

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3. We have forwarded a copy of S. 971 to the Procurement Management Staff/OL for their review and comment concerning the extent to which the Administrative Dispute Resolution Act impacts on internal activities.

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15 August 1989

MEMORANDUM FOR THE RECORD

FROM:

PMS/OL

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SUBJECT: Administrative Dispute Resolution Act (S. 971)

1. On 15 August 1989 the undersigned provided a preliminary review and comment on the above described legislation, a bill encouraging each federal agency to promulgate policies that address the use of the full range of alternative means of dispute resolution and case management in each administrative program of such agency. This legislation directly affects the acquisition process because it affects the Contract Disputes Act. Because the legislation may have some impact on the Agency's acquisition process, this legislation requires close attention by OCA. OCA has been requested to provide PMS with hearings transcripts and other relevant materials regarding the legislation.

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cc:

OCA

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